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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JULY 12, 2001

APPLICATION OF

THE NEW POWER COMPANY

CASE NO. PUE000435

For a license to conduct
business as an electric
service provider and an
aggregator in a retail
access pilot program

ORDER FOR NOTICE AND COMMENT

On July 3, 2001, The New Power Company ("New Power" or "Applicant") filed an application for licensure to conduct business as an electric service provider and an aggregator in Virginia Electric and Power Company's ("Virginia Power"), retail access pilot program, as provided by the Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs ("Interim Rules"), 20 VAC 5-311-50. The Applicant intends to serve residential and commercial customers participating in this electric retail access pilot program. According to the application, New Power has served a copy of its application on Virginia Power as required by the Interim Rules, 20 VAC 5-311-50 C.

Previously, by Order dated September 28, 2000, in the captioned proceeding, the Commission issued New Power License

No. PG-4 to provide competitive gas service in Columbia Gas of Virginia's ("CGV"), and Washington Gas Light's ("WGL") retail access pilot programs. In addition, New Power was issued License No. PA-3 to act as an aggregator in CGV's and WGL's retail access pilot programs.

NOW UPON CONSIDERATION of the application, the Commission finds that New Power's application should be docketed; that the Applicant should give notice of its application; and that the Commission Staff should investigate the application and present its findings in a report.

Accordingly, IT IS ORDERED THAT:

(1) A copy of the application and supporting documents shall be available for inspection in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, between the hours of 8:15 a.m. and 5:00 p.m. on Commission business days.

(2) Any interested person may request a copy of the application, accompanying materials, and this Order by directing a request in writing to the Applicant's counsel, Thomas B. Nicholson, Esquire, Williams Mullen Clark & Dobbins, Two James Center, 1021 East Cary Street, P. O. Box 1320, Richmond, Virginia 23218-1320. The Applicant shall, within three (3) days of receipt of the request, serve the requested documents upon the person making such request.

(3) On or before July 20, 2001, the Applicant shall publish the following notice one (1) time as classified advertising in newspapers of general circulation within the geographical areas approved by the Commission for Virginia Power's pilot program:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
THE NEW POWER COMPANY, TO CONDUCT BUSINESS
AS AN ELECTRIC COMPETITIVE SERVICE PROVIDER
AND AN AGGREGATOR IN AN ELECTRIC RETAIL
ACCESS PILOT PROGRAM
CASE NO. PUE000435

On July 3, 2001, The New Power Company, ("New Power" or "Applicant"), filed an application with the State Corporation Commission for a license to conduct business as an electric competitive service provider and an aggregator in the electric retail access pilot program of Virginia Electric and Power Company. The Applicant intends to serve residential and commercial customers participating in the electric retail access pilot program of Virginia Electric and Power Company.

Previously, by order dated September 28, 2000, in the captioned proceeding, the Commission issued New Power License No. PG-4 to provide competitive gas service in Columbia Gas of Virginia's ("CGV"), and Washington Gas Light's ("WGL") retail access pilot programs. In addition, New Power was issued License No. PA-3 to act as an aggregator in CGV's and WGL's retail access pilot programs.

Copies of the application are available for inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street,

Richmond, Virginia. Copies can be ordered from the Applicant's counsel, Thomas B. Nicholson, Esquire, Williams Mullen Clark & Dobbins, Two James Center, 1021 East Cary Street, P. O. Box 1320, Richmond, Virginia 23218-1320.

An original and five (5) copies of comments on the application may be filed by August 6, 2001, with the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Comments must refer to Case No. PUE000435. A copy of such comments simultaneously shall be sent to Applicant's counsel, Thomas B. Nicholson, Esquire, Williams Mullen Clark & Dobbins, Two James Center, 1021 East Cary Street, P. O. Box 1320, Richmond, Virginia 23218-1320.

THE NEW POWER COMPANY

(4) An original and five (5) copies of any comments on the application may be filed by August 6, 2001, with the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Comments must refer to Case No. PUE000435. A copy of such comments also must simultaneously be served by first-class mail, or hand-delivered, to counsel for Applicant, Thomas B. Nicholson, Esquire, Williams Mullen Clark & Dobbins, Two James Center, 1021 East Cary Street, P. O. Box 1320, Richmond, Virginia 23218-1320.

(5) The Commission Staff shall investigate the application and shall present its findings in a Staff report to be filed on or before August 7, 2001.

(6) On or before August 10, 2001, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any response it may have to the Staff report and any comments that have been filed, and shall serve a copy of its response on counsel for the Commission Staff and any person(s) submitting comments. Service shall be sent by such method that ensures that the response is received August 10, 2001.

(7) Due to the time-sensitive nature of this proceeding, the Applicant shall respond to written interrogatories or data requests within three (3) business days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile as well as by first-class mail. Except as modified herein, discovery shall be in accordance with Part VI of the Commission's Rules of practice and Procedure, 5 VAC 5-10-450 to -510.

(8) On or before August 6, 2001, the Applicant shall file with the Clerk of the Commission proof of the notice required in ordering paragraph (4).

(9) This matter is continued generally.